

REMARKS

Claims 1-4, 6, 7 and 11-20 are pending and are rejected. Reconsideration is respectfully requested.

The 35 U.S.C. § 112 Rejections

Claim 4 is rejected as failing to comply with the written description requirement.

Claim 4 has been amended to recite that the anode is porous. This is supported in the specification in paragraph 22. Therefore the rejection should be withdrawn.

Claims 3 and 20 are rejected as being indefinite. Claims 3 and 20 have been amended to provide clarification. Therefore the rejection should be withdrawn.

The 35 U.S.C. § 103 Rejections

Claims 1-3, 6, 7 and 12-17 are rejected as being unpatentable over Mogensen in view of EP '356 or Van Herle et al. and Wallin. The rejection is respectfully traversed.

Claims 1 and 12 have been amended to include the limitations of claim 11 and should therefore be allowable. Claims 2, 3, 6 and 7 depend from claim 1. Claims 13-17 depend from claim 12. Therefore the rejection should be withdrawn.

Claim 4 is rejected as being unpatentable over Mogensen in view of Wallin and either EP '356 or Van Herle et al. as applied to claims 1-3, 6, 7 and 12-17 above, and further in view of Visco or Mazanec. The rejection is respectfully traversed.

Claim 4 should be allowable because it depends from claim 1 as discussed above. Therefore the rejection should be withdrawn.

Claims 18-20 are rejected as being unpatentable over Mogensen in view of Wallin and either EP '356 or Van Herle et al. as applied to claims 1-3, 6, 7 and 12-17 above, and further in view of Yajima. The rejection is respectfully traversed.

Claims 18-20 depend from claim 12 which should be allowable as discussed above. Therefore the rejection should be withdrawn.

Conclusions

It is submitted that this application is in condition for allowance based on claims 1-4, 6, 7 and 12-20 in view of the amendments thereto and the foregoing comments.

If any impediments remain to prompt allowance of the case, please contact the undersigned at 808-875-0012.

Respectfully submitted,

A handwritten signature in black ink, reading "John P. Wooldridge". The signature is written in a cursive style with a horizontal line underneath the name.

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Dated: July 25, 2005